

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. EDCV 18-01297-CJC (AS)

Date April 5, 2019

Title Michael Edward Woods v. Nancy Berryhill, Acting Commissioner of Social Security

Present: The Honorable Alka Sagar, United States Magistrate Judge

Alma Felix

N/A

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

N/A

N/A

Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE

On June 14, 2018, Michael Edward Woods ("Plaintiff"), proceeding pro se, filed a Complaint for Review of Social Security Decision. (Docket Entry No. 1).

On November 9, 2018, Defendant filed an Answer and the Certified Administrative Record. (Docket Entry Nos. 16-17).

On December 7, 2018, Plaintiff filed a request for an extension of time to file a motion for summary judgment. (Docket Entry No. 18).

On December 10, 2018, the Court issued an Order granting Plaintiff's request, and ordering Plaintiff to file a motion for summary judgment by no later than January 8, 2019. (Docket Entry No. 20).

On February 12, 2019 (following a stay of the case due to the lapse in appropriations, see Docket Entry No. 21), the Court issued an Order granting Defendant's application to vacate the stay and ordering that the briefing schedule be extended, so that Plaintiff's motion for summary judgment was to be filed by no later than March 13, 2019. (Docket Entry No. 24).

Plaintiff's motion for summary judgment was due by March 13, 2019. To date, Plaintiff has failed to file the required motion for summary judgment, seek an extension of time to do so, or otherwise communicate with the Court.

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The Court, on its own motion, orders Plaintiff to show cause, in writing, no later than April 25, 2019, why this action should not be dismissed for lack of prosecution. See Link v. Wabash R. Co., 370 U.S. 626 (1962) (Court has inherent power to dismiss for lack of prosecution on its own motion). Plaintiff may file a motion for summary judgment or Declaration in response to this Order to Show Cause **no later than April 25, 2019**. Failure to respond to this Order to Show Cause might result in a recommendation that this action be dismissed with prejudice for failure to prosecute and failure to comply with the Court's Orders. See Fed.R.Civ.P. 41(b).

In addition, Plaintiff may instead request a voluntary dismissal of this action pursuant to Fed.R.Civ.P. 41(a). A Notice of Dismissal form is attached for Plaintiff's convenience. Plaintiff is expressly warned that failure to file a timely response to this Order to Show Cause might result in a recommendation that this action be dismissed with prejudice for his failure to comply with Court orders and for his failure to prosecute. See Fed.R.Civ.P.41(b).

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